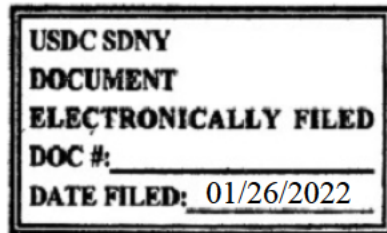




DLA Piper LLP (US)
1251 Avenue of the Americas
27th Floor
New York, New York 10020-1104
www.dlapiper.com

Jeffrey D. Rotenberg
Jeffrey.Rotenberg@dlapiper.com
T 212.335.4556
F 917.778.8556



January 24, 2022

Via ECF

The Honorable Barbara Moses
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007-1312

MEMO ENDORSED

Re: *Elghossain et al. v. Bank Audi S.A.L. et al.* (1-21-CV-2162-PGG-BCM)

Dear Judge Moses:

We represent Defendant Bank Audi S.A.L. (“Bank Audi”) in the above-referenced action. We write on behalf of all of the parties regarding certain scheduling matters and pending motions to dismiss the Complaint.

On October 14, 2021, the Court ordered a briefing schedule for Bank Audi’s motion to dismiss the Complaint. (Dkt. No. 26). On October 21, 2021, the Court ordered the same briefing schedule on Defendant Banque Du Liban’s (“BDL,” with Bank Audi, the “Defendants”) motion to dismiss the Complaint. (Dkt. No. 33). In accordance with this schedule, Defendants filed motions to dismiss on November 29, 2021. (Dkt. Nos. 41, 44). Plaintiffs’ opposition to Defendants’ motions to dismiss is due on January 29, 2022. (Dkt. Nos. 26, 33).

Plaintiffs recently advised Defendants that they intend to seek to leave to amend the Complaint. In the interests of efficiency and judicial economy, the parties have agreed to the following schedule to address Plaintiffs’ intent to seek leave to amend the Complaint:

1. Plaintiffs will file their motion for leave to amend, including their proposed Amended Complaint, by March 11, 2022.
2. Defendants will file any oppositions to Plaintiffs’ motion for leave to amend within 30 days of the filing of the motion for leave to amend.
3. Plaintiffs will file any reply brief within 14 days of any oppositions filed by Defendants.

The parties further agreed that:

1. ~~Briefing on the pending motions to dismiss the Complaint should be stayed pending resolution of the motion for leave to amend.~~

The pending motions to dismiss the Complaint (Dkt. Nos. 41, 44) are deemed **WITHDRAWN**, without prejudice to refile if the motion for leave to amend is denied. The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 41 and 44.



The Honorable Barbara Moses
January 24, 2022
Page Two

2. Defendants shall have until 45 days after any Amended Complaint is filed to answer, move or otherwise respond to the Amended Complaint.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Jeffrey D. Rotenberg
Jeffrey D. Rotenberg

cc: George S Elghossain (elghossaingeorge@gmail.com)
Counsel of record (by ECF)

So Ordered:

A handwritten signature in blue ink, appearing to read 'Barbara Moses', written over a horizontal line.

Hon. Barbara Moses
January 26, 2022